

REMARKS

Claim 1 is rejected under 35 USC 112. Claims 1 – 9 and 4-15 are rejected under 35 USC 102 (b) and claims 16 -20 are rejected under 35 USC 103 (a). These rejections to claims 8-15 are deemed to be overcome by following remarks.

The rejections to claims 1-7 and 16-20 are obviated in view of the withdrawal of such claims from consideration.

Section 102 (b)

Claims 8-15 are rejected under 35 USC 102(b). These claims define contacting dishware with a rinse-aid composition comprising a biopolypeptide. EP0013585 teaches a dishwashing substance which is used in a separate step from a rinse-aid. It discloses improved drainage properties which allow for the washing of dishware and glassware without the need for towel drying to prevent spotting. There is no teaching of a rinse-aid method that reduces build up of soils over time. EP 0013585 describes a composition and method of use that could be used in conjunction with the claimed invention in that it is a cleaner, not a rinse-aid. The claimed rinse-aid method is used in a separate step from the cleaning step but may be used in conjunction with it. The claims under consideration are directed to the use of a composition as a rinse-aid which reduces starch and protein build-up on dishware and glassware. In contrast EP 0013585 teaches cleaning or spot reduction of the dishware and glassware.

Claims 8,9 and 11-15 are rejected under 35 USC 102(b) as anticipated by Mills (4,079,020). The above stated reason for EP 0013585 not anticipating the present invention also applies to the Mills patent. As stated previously, the claims define a method of use of a composition for reducing starch and protein build-up on dishware and glassware. It is not a cleaner and spot reducer and is actually a product that would be used in conjunction with the Mills patent.

Reconsideration of the claims under consideration is respectfully requested.

No fees are believed necessary to enter the above-identified amendment. If any fees are required, the USPTO is authorized to charge such fees to deposit account no. 50-0231.

In view of the foregoing amendments and remarks, the applicant believes the patent application is in condition for allowance. If it is not in condition for allowance, the examiner is respectfully requested to call applicants' attorney.

Respectfully Submitted,

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